

REMARKS

The Amendments

Claim 10 has been amended to conform to U.S. method claim style and to depend on claim 1. New claims 11-15 have been added. Support for new claim 11 is found, e.g., in as-filed claims 1 and 9. Support for new claim 12 is found, e.g., on page 5 lines 8-12, and page 19, table 4, "two variants"; (p value is <0.05). Support for new claim 13 is found, e.g., at page 5 lines 8-12. Support for new claim 14 is found, e.g., at page 13 lines 13-14, page 16 line 8 and page 1 lines 28-30. (Fitzpatrick is a standard measurement and is well-known in the art, see reference 10.) Support for new claim 14 is found, e.g., at page 14 lines 8-10. No new matter has been added.

Response to Election Requirement

Election has been required between:

- Group I. Claims 1-9, methods of administering MSH analogues; and
- Group II. Claim 10, drawn to uses in manufacture.

Applicants elect Group I with traverse. In view of the amendment to claim 10, to make it dependent on Claim 1, it is submitted that restriction is no longer proper.

The Office Action requires that a specific alpha-MSH analogue be identified from those recited generically in claims 1 and 10. Applicants identify [Nle⁴, D-Phe⁷]- α -MSH. Claims 1, 2, 4, 5, 7 and 9 are generic to the identified species.

It is understood that upon allowance of a generic claim, examination of other species will proceed.

Appl. No. 10/595,971
Restriction Requirement dated November 12, 2008
Response to Restriction Requirement dated January 12, 2009

It is believed an extension of time of one month is required with this submission. Enclosed with this response is a Request for Extension of Time and instructions to deduct the appropriate fee of \$65. If this amount is incorrect, please deduct the correct amount, including amounts for any additional extension of time required from deposit account 07-1969

Respectfully submitted,

/ellenwinner/

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